



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TTY: Contact Through Relay
Jim Doyle, Governor
Aaron Olver, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 66
Commerce #: 53585-0468-26-A
BRRTS #: 03-65-175038
Site Name: Hornby's/Former Jimmy's Gas 'N' Go
Site Address: 226 Baldwin St, Sharon, 53585
Site Manager: Ralph N. Smith
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-6543
E-mail: ralph.smith@wisconsin.gov
Bid Manager: Ralph N. Smith
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-6543
E-mail: ralph.smith@wisconsin.gov

Bid-Start Date:	May 3, 2010
Questions must be received by (See Section 2 (B)):	May 17, 2010, 4:00 PM
Responses will be posted by (See Section 2 (B)):	June 4, 2010
Bid-End Date and Time:	June 18, 2010, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Xer-Lith Printing, 131 W. Wilson Street, Madison, WI 53703

Phone: (608) 257- 8900

Fax: (608) 257- 8900

SECTION 2 – Site-Specific Bid Requirements

General Comments

Site investigation and remediation activities at Hornby's (Jimmy's Gas and Go) – Former (Commerce # 53585-0468-26) located at 226 Baldwin Street in the village of Sharon must be combined with site activities at Sharon Service Station (Gibbs Property) – Former (Commerce # 53585-9999-91) located at 191 Baldwin Street in the Village of Sharon. The intent is to reduce mob/demob and other costs. The compliant bidder with the lowest costs for both of these two sites, *combined*, will be selected as the winning bidder. Note: Total bid amount and contingency costs will both be reviewed to determine the low bid through the duration of this scope of work project.

The PECFA Consulting Firm - Agent process is encouraged for these two projects in the village of Sharon. PECFA consultant-agent status is an alternative approach to funding cleanup activities at PECFA eligible sites. It is designed to be an additional tool to help sites that have become stalled move forward. PECFA Consulting Firm – Agent process information can be found at the following hyperlink. <http://commerce.wi.gov/ER/ER-PECFA-Agents.html>

Please make sure billable tasks for each site are kept separate and itemized and invoiced accordingly for potential PECFA claim reimbursement per Comm 47.

The surface of the site is covered with asphalt and gravel. The building was removed, dispensers and pump islands were removed, and the USTs were closed/removed. General soil stratigraphy is primarily clay interbedded with lenses of silt, sand and gravel from the surface to a depth of 247 feet below ground surface (bgs). Lenses of sand were encountered in several borings from the 13 to 21 feet intervals in several borings. Depth to groundwater at the site ranges from 2.71 to 12.73 feet bgs, based on static groundwater elevations. Groundwater flows varied from MW-1, -2, -3 on January 13 and April 28, 1998 to the east with a hydraulic gradient of ~ 0.07 feet/linear feet. In all five groundwater monitoring wells on December 15, 1998 groundwater flow direction was towards the south-southwest with a hydraulic gradient of 0.03 feet/linear foot. On March 19, 1999 groundwater flow direction was to the south-southeast with a hydraulic gradient of ~ 0.04 feet/linear foot. Bedrock is approximately 247 feet bgs, and consists of Ordovician dolomite rock of the Galena-Platteville formation, which is underlain by Ordovician sandstone of the St. Peter formation. Estimated hydraulic conductivity ranges for sand (SP) to gravel (GP) to glacial till clay (CL) and values range from 10^1 cm/s (GP) to 10^{-6} cm/s (CL).

There are four known underground storage tanks (USTs) on this property. Two USTs were closed/removed on 11/18/2004: a 6,000 gallon unleaded gasoline (UST Tank ID: 357478) and a 6,000 gallon unleaded gasoline (UST Tank ID: 357477). Two 1,000 gallon USTs were closed/removed on February 1, 1982: a 1,000 gallon diesel UST (UST Tank ID: 357479) and a 1,000 gallon waste/used motor oil UST (UST Tank ID: 357480). According to the Site Investigation Report (SIR) dated June 9, 1999, the two 1,000 gallon USTs were *abandoned in place* on February 1, 1982. The Environmental & Regulatory Services Division information at Commerce says the 1,000 gallon USTs were closed/removed, but it is likely the two 1,000 gallon USTs are still in the ground. If the USTs are still in the ground, then the costs for removal and disposal of said USTs are not PECFA-eligible and must be borne by the Owner/Responsible Party (Village of Sharon), if applicable. PECFA will pay for removal and disposal of contaminated soil beneath the USTs (if abandoned in place) which is slated for removal as part of the remedial excavation.

A "Remedial Action Plan" submitted on November 17, 1999 stated that 360 tons of impacted soil was removed and stockpiled. However, after further review, only 73.74 tons of contaminated soil was removed and disposed of at the Mallard Ridge landfill. No stockpiles of contaminated soil were actually used for temporary storage, even though approvals were received for stockpiling soil. See Figure 6 in the June 9, 1999 SIR for the location of the 73.74 ton excavation and the confirmation soil sample locations.

The gas station/convenience store had a concrete slab on grade building construction which was removed. It is presented that soil and groundwater contamination are probable in the footprint of the former building. The demolition, removal, hauling, storage, and disposal of the concrete building slab are not PECFA-eligible and the concrete slab shall be removed prior to the remedial excavation (if applicable).

Commerce is not aware of any drums or of a soil stockpile associated with the site at this time.

Minimum Remedial Requirements

One site visit to dovetail with the other site visit in Sharon to determine the current status of the monitoring well network, closed/removed USTs, surface cover and building slab issues, upgrade site diagram and present findings in a brief site status update report.

Remedial Excavation – the proposed remedial excavation shall be to sixteen feet below ground surface (bgs). It is estimated to be 47.5 feet X 37.5 feet X 16 feet depth = 1583 tons (- 77 tons from interim remedial excavation done previously) = 1506 tons (assume 1.5 tons/cubic yard) + 20 feet X 37.5 feet X 16 feet depth = 666 tons so, 1506 tons + 666 tons – 181 tons (0-2 feet bgs fill) = ~ 1991 tons, *not* including the soil beneath the building slab to be added as a contingency cost on a per ton unit basis for commodity only. See proposed excavation diagram included on the website. Please be aware there are likely two underground storage tanks of 1,000 gallon capacity each likely closed in place and these USTs shall be removed prior to excavation (not PECFA-eligible), if applicable. The ~1991 tons estimate is conservative, and takes into account fill material and surface material which exists at the site for the uppermost two feet or so. The use of field screening or other appropriate technology is required in order to segregate clean excavated soil and clean fill and clean surface material from contaminated fill and soil for disposal. Contaminated soil disposal reimbursement costs will be based on actual tonnages and tickets received at the solid waste management facility. The presence of impediments to excavation such as a street and utilities and sidewalks, may restrict the areas that can be excavated. The excavation shall be back-filled with the clean soils and clean fill materials segregated during excavation activities, as well as imported, clean material similar to or finer-grained than the native soil. Backfill soil shall be placed in one-foot thick compacted lifts. Compaction costs are included with this bid. Post-excavation confirmation soil samples must be collected, one from each sidewall and three from the bottom of the excavation (seven soil samples total). Each soil sample shall be analyzed for petroleum volatile organic compounds PVOCs + 1,2-DCA and PAHs and lead (Pb).

The remedial excavation necessitates the removal of monitoring well MW-3 (after obtaining a groundwater sample, etc) with the replacement of the well in the same location after the completion of the excavation. Replace monitoring well MW-3 in the remedial excavation with "RMW-3" with the same well screen interval from 8 -18 feet bgs. Beware of potential tanks abandoned in place and overhead electric lines, this

boring was drilled previously with a hollow stem auger and the mast was down because of overhead electric lines.

The monitoring well shall be properly abandoned per NR 141.25 prior to removal. The replacement monitoring well shall meet all code requirements per NR 141 and the NR 700 rule series.

Survey all monitoring wells and provide groundwater elevation data to US Geodetic standards and per the NR 700 rule series.

Install a monitoring well in the former tank bed of the two former 6,000 gallon USTs (which is in the interim remedial excavation footprint – and this area shall **not** be excavated as part of this bid workscope). It should be blind drilled in the backfill to native soil, and then logged and described and when *in situ* soil is encountered to the depth of the boring. Two soil samples from native soil should be sampled and analyzed from this boring for PVOC + 1,2-DCA, PAH, and lead. The proposed NR 141 compliant groundwater monitoring well should be located greater than or equal to thirty feet from monitoring well MW-1 in the former tank bed.

Sample groundwater for a period of one and half years for this scope of work. The initial groundwater sample event shall be conducted the day of the remedial excavation and prior to the excavation mainly due to the existing well MW-3 slated for replacement (See proposed excavation diagram). The initial groundwater sample event shall be for VOC using EPA Method 8260 for all new wells only. Evaluate groundwater for PVOCs + 1,2-DCA plus PAHs for all five existing wells and the proposed well. The first post-remedial excavation groundwater sample event (Quarter 1) shall be at least 160 days after the excavation to allow for plume stabilization. Semi-annual groundwater sampling shall include lead (Pb) for all six wells in the sampling and analysis plan. Five groundwater sample events are scheduled in the one and a half year timeline for the six wells.

Well	Frequency	Parameters
Proposed well	1 st Sample Event only	VOCs
MW-1 through MW-5, Proposed well	1st Sample Event plus Quarterly – 1, 2, 3, & 4	PVOC + 1,2-DCA + PAHs
MW-1 through MW-5, Proposed well	Semi-annually	Lead (Pb)

*If free product (a/k/a LNAPL – Light Non-Aqueous Phase Liquid) is encountered, measure the thickness to the nearest 0.01 foot and report this to Commerce on the same day the LNAPL is encountered. Provide recommendations to Commerce, if revisions are advisable on the groundwater parameter list, etc. If LNAPL is encountered, bail down to the extent practical and collect a groundwater sample to determine the dissolved phase dynamic using a bottom discharge sampling device.

Evaluate potential utility corridor influences for preferential groundwater and/or potential vapor intrusion. Monitoring well MW-5 is near the sewer line. Provide “as built” engineered diagram(s) for the sewer line and any other utilities and utility trenches around the site.

Update all tables and diagrams to include historic and current soil and groundwater data.

Reporting: In addition to the brief site status update letter report on the monitoring well network inventory, etc., provide a remedial excavation report within 30 days of the completion of the excavation, two semi-annual reports and an online report per Comm 47.70.

Contingency Costs

Cost estimate for the area beneath the former convenience store building for contaminated soil excavation, hauling, backfill, compaction, additional confirmation sampling, and disposal costs (includes mob/demob) on a \$/ton unit rate, in case more soil is removed than previously estimated. Concrete slab demolition, excavating, hauling, and disposal costs are not PECFA-eligible. Commerce shall be notified and approval received *in advance* prior to work being done. All mob/demob and per diem costs are to be included with the bid.

Pump truck for removal of contaminated groundwater from the remedial excavation to improve access to contaminated soil during the excavation, if needed. The estimate shall be for an 8-hour day lump sum rate for personnel and equipment and includes mob/demob and per diem. Approval is required from Commerce *in advance* for this activity.

The cost to fulfill *all* landfill requirements for waste characterization analysis prior to soil disposal must be included. Be aware that Toxicity Characteristic Leaching Procedure (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used if required.

For any and all additional costs consideration for this bid work scope, costs will be further reviewed by Commerce using the U&C Cost Schedule and/or bid variance approval process.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3); unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE – BID ROUND 66

(1st Page)

Department of Commerce PECFA Program

Site Name: Hornby's/Former Jimmy's Gas 'N' Go

Commerce #: 53585-0468-26-A

BRRTS #: 03-65-175038

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE – BID ROUND 66**(2nd Page)**

Department of Commerce PECFA Program

Site Name: Hornby's/Former Jimmy's Gas 'N' Go**Commerce #: 53585-0468-26-A****BRRTS #: 03-65-175038****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Surveying costs	\$	
2	Soil removal, backfill, and disposal cost estimate for total of ~1991 tons (with a 1.5 tons/cubic yard conversion factor).		
2	Install, construct, develop two groundwater monitoring wells – includes soil sampling costs, well abandonment costs for one well prior to replacement, & mob/demob per bid language.	\$	
3	Groundwater Monitoring (includes analytical costs) per event	\$	
4	Number of Groundwater Monitoring events	\$	5
5	Groundwater Monitoring subtotal (Row 3 X Row 4)	\$	
6	Documentation (Reports, data compilation, etc.)	\$	
7	Waste Disposal		
8	PECFA Claim Preparation	\$	
9	Total Bid Amount	\$	
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed)			
	Costs for soil excavation/hauling/backfill/compaction, confirmation sampling, & disposal costs (including mob/demob & per diem) on \$/ton unit basis in the former convenience store footprint area.	\$/ton	
	Pump truck for one 8- hour day and one person for a lump sum includes, mob/demob and per	\$	

	diem costs.	
•	Collection and analysis of TCLP soil samples for landfill acceptance of disposal of \$ contaminated soil.	